

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

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SHELDON LOCKETT; MICHELLE  
DAVIS; AND CLYDE DAVIS,

PLAINTIFFS,

vs.

NO. 18-CV-5838-PJW

COUNTY OF LOS ANGELES, A  
PUBLIC ENTITY; LOS ANGELES  
COUNTY SHERIFF'S DEPARTMENT,  
A LAW ENFORCEMENT AGENCY;  
SHERIFF JIM MCDONNELL;  
MIZRAIN ORREGO, A DEPUTY LOS  
ANGELES COUNTY SHERIFF; AND  
DOES 1 THROUGH 100,  
INCLUSIVE,

DEFENDANTS.

1

REMOTE VIDEOTAPED DEPOSITION OF  
MIZRAIN ORREGO

FRIDAY, MAY 8, 2020

JOB NO. 4082830

REPORTED BY:

HOLLY THUMAN, CSR NO. 6834, RMR, CRR

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REMOTE VIDEOTAPED DEPOSITION OF MIZRAIN ORREGO,  
TAKEN BY THE PLAINTIFFS, WITH THE WITNESS LOCATED AT  
HURRELL CANTRALL LLP, 300 S. GRAND AVENUE, SUITE 1300,  
LOS ANGELES, CALIFORNIA 90071, COMMENCING AT  
10:23 A.M., ON FRIDAY, MAY 8, 2020, BEFORE ME,  
 HOLLY THUMAN, CSR 6834, RMR, CRR.

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APPEARANCES

11

FOR THE PLAINTIFFS:

12

THE SWEENEY FIRM

13

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FOR DEFENDANT COUNTY OF LOS ANGELES:

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RIVIE@IMWLAW.COM

1	which prompted you to arrest eventually Sheldon	11:12:24
2	Lockett happened in a Tree Top Piru neighborhood.	11:12:34
3	Correct?	11:12:38
4	Well, you knew that.	11:12:40
5	A. Sorry --	11:12:41
6	Q. You didn't have to reason that.	11:12:42
7	You knew the shooting that eventually led	11:12:44
8	to the arrest of Sheldon Lockett occurred in a	11:12:47
9	Tree Top Piru neighborhood. Correct?	11:12:49
10	A. Yes.	11:12:52
11	Q. And you knew that the rival gang was the	11:12:53
12	Neighborhood Piru. Correct?	11:12:58
13	A. One of many, yes.	11:13:01
14	Q. Yeah. But the Neighborhood Piru gang is	11:13:02
15	where you took off to investigate. Correct?	11:13:07
16	A. Yes.	11:13:13
17	Q. And so you were -- in your mind, you	11:13:16
18	thought that this was a gang-on-gang drive-by	11:13:19
19	shooting, didn't you?	11:13:23
20	A. I -- I did not know that it was a gang	11:13:28
21	shooting; however, based on the location and --	11:13:31
22	based on the location and the incident, the	11:13:39
23	description of the incident, I believed that it	11:13:43
24	could be related to gang violence.	11:13:45
25	Q. Yeah. Yeah. And that's why you went over	11:13:48

1 there; that's why you went over. You heard the 11:13:50  
2 patch call, dispatch -- the patch call, and you 11:13:55  
3 went over to the Neighborhood Piru area. Correct? 11:13:58

4 A. Yes. 11:14:04

The figure consists of a 15x15 grid of black bars on a white background. Each bar is a solid black rectangle. The bars are arranged in a staggered, non-uniform pattern. In each row, the bars are positioned at different horizontal offsets, creating a sense of depth and texture. The lengths of the bars also vary, with some being very short and others being the full width of the grid. The overall effect is a dense, abstract pattern of black shapes on a white background.

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A 20x20 grid of black bars. The bars are arranged in a pattern where most are horizontal, but some are vertical or form small clusters. The grid is bounded by a thick black border.

1

[REDACTED]



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10 of 10

11. **What is the primary purpose of the *Journal of Clinical Endocrinology and Metabolism*?**

1

1	one second. Excuse me one second.	14:08:18
2	(Dog barking)	14:08:20
3	MR. GLICKMAN: I would just like the	14:08:32
4	record to reflect that my cat has not interrupted	14:08:33
5	the proceedings once.	14:08:35
6	MR. SWEENEY: Sorry about that. Okay.	14:08:36
7	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]
18	Q. Okay. Directing your attention to	14:09:07
19	January 15, 2016.	14:09:09
20	You had an occasion to hear a dispatch	14:09:14
21	call regarding a 664/187. Is that correct?	14:09:20
22	A. A 245 GSV, I believe, sir. Yeah. Assault	14:09:25
23	with deadly weapon, gunshot victim.	14:09:40
24	Q. Okay. All right.	14:09:45
25	So where were you when you got that call	14:09:51

1 or heard that call? 14:09:53  
2 A. I was patrolling Compton, sir. 14:09:54  
3 Q. What part of Compton? 14:09:59  
4 A. I don't recall, sir. 14:10:02  
5 Q. And who was driving? 14:10:05  
6 A. I don't recall, sir. 14:10:08  
7 Q. Who was your partner? 14:10:12  
8 A. Deputy Aldama, sir. 14:10:14  
9 Q. And what did you do in reaction to that 14:10:17  
10 call? 14:10:19  
11 A. We heard enough units were going to assist 14:10:23  
12 the handling unit with the victim and locking down 14:10:27  
13 the -- the gunshot victim location. 14:10:32  
14 So we wanted to -- since they had enough 14:10:37  
15 deputies on scene, we thought it was a good, 14:10:42  
16 proactive idea to go and look for -- you know, just 14:10:46  
17 patrol around the rival -- the active rivals of 14:10:51  
18 that gang, that particular gang that's in that area 14:10:57  
19 where the shooting occurred. 14:11:00  
20 Q. And you and Samuel Aldama talked about 14:11:01  
21 that. Correct? 14:11:04  
22 A. I don't -- I don't -- I don't recall if we 14:11:08  
23 talked about it. 14:11:10  
24 Q. Well, you said, "We decided to go to 14:11:11  
25 the" -- that was a decision that you and 14:11:16

1 Deputy Aldama made. Correct? 14:11:20

2 A. Yes. However, I don't recall how the 14:11:22

3 decision was made. I mean, yes, we -- ultimately, 14:11:24

4 yes, that's what we did. 14:11:28

5 Q. Yeah. Because you wanted to apprehend any 14:11:30

6 possible suspect. Correct? 14:11:37

7 A. Yes. 14:11:40

8 Q. And so you went to the rival gang 14:11:43

9 territory, as we established earlier, and the 14:11:51

10 shooting was in Tree Top Piru territory. 14:11:55

11 You went to the Neighborhood Piru 14:11:59

12 territory. Correct? 14:12:02

13 A. Correct, sir. 14:12:03

14 Q. And you went over there specifically 14:12:05

15 looking for a possible suspect to that shooting. 14:12:09

16 Correct? 14:12:16

17 A. Yes -- no, not really, sir. 14:12:17

18 Q. Well, what did you go over there for? You 14:12:21

19 already said that you went over there to possibly 14:12:23

20 look for a suspect. 14:12:26

21 A. Well, that was -- yeah, that's -- I mean, 14:12:28

22 that's the reason -- that's what took us to the 14:12:30

23 area. However, if -- 14:12:33

24 Q. Okay. Okay. 14:12:34

25 MR. ALTURA: This is Jack Altura. 14:12:40

1	Was the witness done with his answer? It	14:12:42
2	seemed like he had more to say.	14:12:44
3	MR. SWEENEY: Now, don't try to coach him,	14:12:46
4	Mr. Altura. He put his hands up and said yes.	14:12:47
5	That was it.	14:12:51
6	MR. ALTURA: You interrupted him,	14:12:53
7	Mr. Sweeney, from the way I can see it.	14:12:54
8	MR. SWEENEY: I interrupted him because he	14:12:57
9	put his hand up like this and put it down. Next	14:12:58
10	question.	14:13:01
11	MR. ALTURA: I must have missed that	14:13:02
12	gesture.	14:13:05
13	BY MR. SWEENEY:	14:13:06
14	Q. Well, let me ask: Did you have anything	14:13:06
15	more to say?	14:13:09
16	A. Yes, sir, I did.	14:13:09
17	Q. Well, I'll get to -- in response to the	14:13:10
18	question I asked?	14:13:12
19	A. Yes, sir.	14:13:13
20	We went to the particular area based on	14:13:14
21	looking for a possible suspect. But if a rape	14:13:18
22	victim was going to wave us in the middle of the	14:13:21
23	street, we were not going to neglect helping that	14:13:24
24	rape victim just to go catch a shooting suspect.	14:13:28
25	So even though that took us to that area,	14:13:31

1	we weren't specifically looking for the gun -- for	14:13:34
2	the shooter of -- the GSV. We weren't there --	14:13:38
3	that's what took us to the area, but that's not	14:13:44
4	exactly what we were doing.	14:13:46
5	Q. Oh, God.	14:13:49
6	What were you exactly doing, then?	14:13:49
7	A. Patrolling the neighborhood.	14:13:53
8	Q. For the suspect. Correct?	14:13:55
9	You can't separate the two, sir. You've	14:14:00
10	already said you heard the radio call, and you	14:14:02
11	decided to go to the rival gang area.	14:14:04
12	MR. ALTURA: This is Jack Altura.	14:14:09
13	I'll object to that testimony by counsel.	14:14:10
14	MR. HURRELL: Yeah. Is there a question,	14:14:13
15	John?	14:14:14
16	MR. SWEENEY: Yeah.	14:14:14
17	BY MR. SWEENEY:	14:14:14
18	Q. The question is: You went to that area to	14:14:15
19	search for a suspect to the shooting. Correct?	14:14:19
20	A. Yes, sir.	14:14:25
21	Q. Okay. All right. And so you had heard	14:14:26
22	that gunshots were involved. Correct?	14:14:30
23	A. Yes, sir.	14:14:36
24	Q. And your -- that heightened your anxiety,	14:14:38
25	didn't it?	14:14:43

1	A. My awareness, sir.	14:14:46
2	Q. Yes. Because certainly, if a suspect had	14:14:48
3	a gun, you didn't want to get shot. Correct?	14:14:53
4	That's natural.	14:14:57
5	MR. HURRELL: Well, I don't understand the	14:15:00
6	question, John. It's vague and ambiguous.	14:15:01
7	BY MR. SWEENEY:	14:15:03
8	Q. You didn't want to get shot by any	14:15:03
9	possible suspect. Correct?	14:15:06
10	A. I don't think anybody wants to get shot,	14:15:15
11	sir.	14:15:17
12	Q. Of course not. Of course not.	14:15:17
13	And so your awareness was raised, and this	14:15:21
14	was not just a dog bite call. It was much more	14:15:25
15	serious. Correct?	14:15:31
16	A. Yes, sir.	14:15:32
17	Q. And how did you roll over that you -- you	14:15:43
18	rolled over to the Neighborhood Piru territory very	14:15:45
19	quickly, didn't you?	14:15:49
20	A. I don't recall, sir.	14:15:53
21	Q. How far is the -- the two turfs apart?	14:15:58
22	A. Probably less than a mile, sir.	14:16:08
23	Q. And so you -- one second.	14:16:11
24	And so you make your way over to Spruce	14:16:42
25	Street. Is that correct?	14:16:45

1 A. Yes, sir. 14:16:49

2 Q. And you see some people standing on the 14:16:51

3 lawn at 1213 West Spruce Street. Correct? 14:16:57

4 A. I believe so, sir, yes. 14:17:02

5 MR. SWEENEY: So, Mr. Glickman, can we 14:17:10

6 pull up the Google Maps photograph of 1213 West 14:17:12

7 Spruce Street? And it's -- 14:17:17

8 MR. GLICKMAN: Did you want the recording 14:17:22

9 of the original call that they heard? 14:17:23

10 MR. SWEENEY: Yeah, yeah, I'll get to 14:17:25

11 that, but I want to get here first. 14:17:27

12 MR. GLICKMAN: Okay. Give me a second. 14:17:29

13 MR. SWEENEY: Thanks for the coaching, 14:17:35

14 Mr. Glickman. 14:17:40

15 MR. GLICKMAN: So this will be Exhibit 62. 14:18:10

16 (Deposition Exhibit 62 was marked for 14:18:13

17 identification.) 14:18:14

18 MR. SWEENEY: Okay. Can you blow it up 14:18:16

19 just a little bit? Okay. 14:18:25

20 Q. So there -- can you point -- you said they 14:18:32

21 were on the lawn? 14:18:35

22 Where on the lawn were they? 14:18:36

23 A. Honestly, sir, I don't -- I believe it was 14:18:38

24 the blue house. They were by the sidewalk area. 14:18:40

25 Q. Okay. When you say "the sidewalk area," 14:18:49

1 you mean -- I see a cursor going up the -- up the 14:18:51  
2 path up to the house? 14:18:57

3 A. The public -- public sidewalk, sir. 14:18:59

4 Q. Oh, the public sidewalk. Okay. Okay. 14:19:02

5 Is there any way you can tell us where 14:19:06

6 they were standing by looking at this picture? 14:19:09

7 A. They were, I believe, on the -- I believe 14:19:14

8 they were on the south side of the sidewalk, right 14:19:17

9 there. 14:19:21

10 Q. Can you -- 14:19:23

11 MR. SWEENEY: Mr. Glickman, you have the 14:19:25

12 cursor. Can you move it to -- shall we move it up, 14:19:27

13 back down, or -- 14:19:31

14 THE WITNESS: To the right, please. And 14:19:33

15 then down. 14:19:34

16 They were around that area right there, 14:19:35

17 yep. Around there. 14:19:38

18 BY MR. SWEENEY: 14:19:38

19 Q. Okay. So for the record, if we're looking 14:19:39

20 at the photograph straight on, there is a walkway 14:19:42

21 that walks -- that leads up to the front door. 14:19:45

22 They were to the right of that, and they were on 14:19:49

23 the concrete sidewalk or the grass? 14:19:51

24 A. I don't recall -- recall that. 14:19:55

25 Q. Okay. All right. But somewhere around 14:19:58

1 the person. I mean, that's one of the reasons why 14:27:24  
2 we went, but we were multitasking. 14:27:26  
3 Besides being reactive to calls for 14:27:29  
4 service, we were looking for the suspect. We were, 14:27:31  
5 you know, patrolling the area. Not necessarily 14:27:34  
6 only put the blinders on, and let's go look for the 14:27:37  
7 suspect; we have to get the suspect. 14:27:41  
8 Is that clear? 14:27:44  
9 Q. No, it's not clear, but I'm going to 14:27:46  
10 object to that response as being nonresponsive, and 14:27:50  
11 I will move the court to strike it. 14:27:54  
12 Okay. So -- 14:28:00  
13 MR. ALTURA: This is Jack Altura. 14:28:02  
14 That actually seemed very responsive to 14:28:03  
15 me, and so I would oppose that motion. 14:28:05  
16 MR. SWEENEY: I asked him: So you were 14:28:08  
17 looking for the -- a male, black, in his 20s, with 14:28:09  
18 a blue beanie and a silver or gray Pontiac. 14:28:16  
19 And the answer could have been given in 14:28:20  
20 yes or no. Okay. 14:28:23  
21 Q. So when you pulled up to 1213 Spruce 14:28:29  
22 Street, you saw a group of people standing on the 14:28:38  
23 lawn or near the sidewalk where you described. 14:28:44  
24 How many -- how big was the group? 14:28:50  
25 A. I believe it was two males and one female. 14:28:54

1	Q. What were they doing?	14:29:03
2	A. I believe they were outside, talking,	14:29:05
3	drinking out of a silver can.	14:29:08
4	Q. They were all drinking out of a silver	14:29:12
5	can?	14:29:15
6	A. I don't recall the female was, but	14:29:16
7	definitely the two males were.	14:29:18
8	Q. They were drinking out of a silver can.	14:29:21
9	The same silver can or different silver	14:29:24
10	cans?	14:29:27
11	A. Different, sir.	14:29:27
12	Q. And did you stop your vehicle?	14:29:31
13	A. Yes, sir.	14:29:37
14	Q. You don't recall who was driving.	14:29:38
15	Correct?	14:29:40
16	A. I don't. I don't, sir.	14:29:41
17	Q. Why did you stop your vehicle?	14:29:43
18	A. The beverage appeared to be an alcoholic	14:29:48
19	beverage, so we wanted to just make -- make	14:29:51
20	contact.	14:29:54
21	Q. So you rolled over to this -- this rival	14:29:56
22	gang area to look for the suspect; yet you get out	14:30:02
23	of the car to contact somebody for having	14:30:09
24	alcohol -- possibly having an alcoholic beverage.	14:30:14
25	Is that your testimony?	14:30:19

1	MR. HURRELL: It's argumentative.	14:30:20
2	THE WITNESS: Yes.	14:30:24
3	BY MR. SWEENEY:	14:30:25
4	Q. Is that the only reason why you got out of	14:30:27
5	the car?	14:30:29
6	A. What was the reason?	14:30:32
7	I'm sorry, can you repeat that again?	14:30:33
8	Q. Was that the only reason you got out of	14:30:35
9	the car?	14:30:37
10	A. What -- what was the reason? The --	14:30:39
11	Q. That you just stated.	14:30:42
12	A. That they were drinking out of a silver	14:30:45
13	can that appeared to be an alcoholic beverage?	14:30:48
14	Q. Yes. That's the only reason you got out	14:30:51
15	of the car?	14:30:53
16	A. At that time, yes.	14:30:53
17	Q. You didn't -- did you -- strike that.	14:30:55
18	You got out of the car. You drew your	14:31:03
19	guns. You drew your gun and pointed your gun at	14:31:08
20	somebody who was drinking alcohol out of a can.	14:31:11
21	MR. HURRELL: That assumes that fact not	14:31:17
22	established, that they drew their gun -- or he drew	14:31:19
23	his gun. He hasn't testified to that so far.	14:31:23
24	MR. ALTURA: And Jack Altura for the	14:31:26
25	County.	14:31:28

1	BY MR. SWEENEY:	14:40:06
2	Q. So what was your intention in getting out	14:40:14
3	of the car when you saw them drinking alcoholic	14:40:19
4	beverages, as you said?	14:40:20
5	A. Well, drinking an alcoholic beverage in a	14:40:25
6	public place is a violation of Compton Municipal	14:40:27
7	Code. So that was my legal standing to -- to stop.	14:40:30
8	It doesn't mean they were going to jail,	14:40:34
9	but that gives me legal standing to make contact	14:40:36
10	with the people.	14:40:39
11	Q. Okay. And, I mean, you can try to talk to	14:40:41
12	anybody. Correct? If I'm walking through the	14:40:48
13	streets of Compton, you can stop me and try to talk	14:40:53
14	to me. Correct? I can walk away, but you can try.	14:40:56
15	Correct?	14:40:58
16	A. Correct, sir.	14:40:59
17	Q. So you were going to question them about	14:41:02
18	drinking alcohol in public. Is that right?	14:41:08
19	A. If I was going to question them?	14:41:14
20	Q. Yeah. That was your purpose, you said, in	14:41:17
21	getting out of the car?	14:41:23
22	A. That was my legal standing to be there.	14:41:24
23	It was more of a consensual encounter at this time.	14:41:29
24	Q. It was your legal standing. But the	14:41:33
25	reason why you were there was to get the -- the	14:41:34

1	answer.	14:55:45
2	MR. SWEENEY: He answered already.	14:55:47
3	THE COURT REPORTER: This is the reporter.	14:55:59
4	No answer reflected in the record to that question.	14:55:59
5	BY MR. SWEENEY:	14:56:01
6	Q. Okay. Please answer.	14:56:02
7	A. "Relaxed" meaning, you know, we didn't	14:56:03
8	have the guns out or -- I mean, you know, it was	14:56:04
9	just -- it was just a contact.	14:56:06
10	Q. Who was it who approached Mr. Lockett?	14:56:16
11	Was it you or Mr. Aldama, Deputy Aldama?	14:56:19
12	A. Deputy Aldama.	14:56:25
13	Q. Do you know if he said anything to	14:56:27
14	Mr. Lockett?	14:56:29
15	A. Yes. I believe he said, "Are you on	14:56:32
16	probation or parole?"	14:56:35
17	Q. Was there any response by Mr. Lockett?	14:56:40
18	A. Yes. I saw Mr. Lockett start to walk at a	14:56:42
19	fast pace eastbound away from Deputy Aldama.	14:56:46
20	Q. Okay.	14:56:51
21	MR. SWEENEY: And can we pull up	14:56:52
22	Exhibit 60 -- one second.	14:56:56
23	MR. GLICKMAN: What are you looking for?	14:57:05
24	MR. SWEENEY: 62.	14:57:07
25	Q. You said "eastbound," "started walking	14:57:15

1	eastbound"?	14:57:17
2	MR. GLICKMAN: I have -- would a map help?	14:57:19
3	MR. SWEENEY: Yeah, the Google map.	14:57:22
4	MR. GLICKMAN: Yeah, so here's -- I have	14:57:24
5	the Google map here.	14:57:25
6	MR. SWEENEY: 62.	14:57:27
7	MR. GLICKMAN: And so we have a -- this	14:57:30
8	hasn't been marked yet, so this will be Exhibit 66.	14:57:31
9	MR. SWEENEY: Okay.	14:57:35
10	(Deposition Exhibit 66 was marked for	14:57:36
11	identification.)	14:57:37
12	MR. SWEENEY: I wanted to show 62, but	14:57:38
13	that's okay. This is better. This is better.	14:57:40
14	Okay.	14:57:42
15	Q. You see this -- it's pinned at -- with a	14:57:44
16	red pin at 1213 West Spruce.	14:57:50
17	Do you see that, Mr. Orrego?	14:57:54
18	A. Yes.	14:57:58
19	Q. Okay. What direction did Mr. Lockett	14:57:59
20	start walking in?	14:58:03
21	A. Eastbound.	14:58:08
22	Q. And what --	14:58:09
23	MR. SWEENEY: And Mr. Glickman, can you	14:58:15
24	put the cursor going eastbound?	14:58:16
25	Q. Is that the direction, sir?	14:58:20

1	A. Yes, sir.	14:58:21
2	Q. Was he walking at that point, Mr. Lockett?	14:58:22
3	A. There began -- the males began to	14:58:27
4	disassociate themselves from one another, and --	14:58:29
5	yes. And then he, Mr. Lockett, started basically	14:58:35
6	walking away from the other male and away from	14:58:38
7	Deputy Aldama.	14:58:44
8	Q. Okay. What happened next?	14:58:47
9	A. Mr. Lockett turned around east and then	14:58:55
10	took off running, pulled out a weapon from his	14:58:58
11	waistband.	14:59:03
12	And then after that, he left northbound on	14:59:03
13	Tajauta toward Rosecrans.	14:59:08
14	Q. You said he took off running, and he	14:59:11
15	pulled a gun out of his waistband. Correct?	14:59:13
16	A. Correct, sir.	14:59:17
17	Q. So his back was to you when he pulled out	14:59:17
18	this gun. Correct?	14:59:20
19	A. Yes, sir.	14:59:21
20	Q. Now, did you actually see the gun, sir?	14:59:36
21	A. Yes, sir.	14:59:39
22	Q. As a matter of fact, in the stop and chase	14:59:43
23	of Dante Taylor, which you are familiar with, you	14:59:51
24	said that he had a gun. Same thing. Correct?	14:59:56
25	A. Correct, sir.	15:00:00

1	Q. And that he pulled it out of his	15:00:01
2	waistband. Correct?	15:00:03
3	A. Correct, sir.	15:00:04
4	Q. As a matter of fact, as we learned in your	15:00:06
5	deposition that I took of you in that case out in	15:00:09
6	Long Beach, that you said that when you fired the	15:00:13
7	fatal shot at Dante Taylor, he was pointing a gun	15:00:18
8	right at you, and you were relatively close; you	15:00:23
9	saw this gun, you shot, and he dropped right there.	15:00:26
10	Do you recall that testimony?	15:00:32
11	A. I don't recall me testifying it like that.	15:00:35
12	Q. Oh. We have it, and we have it on video.	15:00:39
13	But anyway, there was no gun found next to	15:00:44
14	the body of Dante Taylor, was there?	15:00:46
15	MR. HURRELL: You're talking about the	15:00:52
16	Taylor case. Correct?	15:00:53
17	MR. SWEENEY: Yes. Yes.	15:00:54
18	THE WITNESS: No, sir.	15:00:59
19	BY MR. SWEENEY:	15:01:02
20	Q. All right. Let's get back to this case.	15:01:02
21	In the Taylor case, you, of course, made a	15:01:06
22	417 broadcast, didn't you?	15:01:11
23	A. Yes, sir.	15:01:15
24	Q. In this case, you made a 417 broadcast,	15:01:17
25	didn't you?	15:01:22

1	A. Yes, sir.	15:01:22
2	Q. You knew that a 417 broadcast would evoke	15:01:25
3	a rapid and serious response from other fellow	15:01:37
4	deputies, didn't you?	15:01:41
5	A. Yes, sir.	15:01:44
6	MR. ALTURA: This is Jack Altura, and I'll	15:01:46
7	make a belated objection that that's vague and	15:01:48
8	ambiguous.	15:01:51
9	MR. SWEENEY: Okay.	15:01:53
10	MR. ALTURA: The question is vague and	15:01:54
11	ambiguous.	15:01:54
12	BY MR. SWEENEY:	15:01:55
13	Q. What's your answer?	15:01:55
14	MR. HURRELL: He answered yes.	15:02:01
15	BY MR. SWEENEY:	15:02:02
16	Q. I'm sorry. What was the answer?	15:02:02
17	MR. HURRELL: He said yes, John.	15:02:05
18	MR. SWEENEY: Oh, okay. Thank you.	15:02:06
19	THE COURT REPORTER: And this is the	15:02:14
20	reporter. That is in the record.	15:02:15
21	MR. SWEENEY: Okay. Thank you.	15:02:17
22	Q. Can you describe the gun, sir?	15:02:28
23	A. It was a black handgun, sir.	15:02:31
24	Q. Automatic, semiautomatic, or a revolver?	15:02:36
25	A. It looked like a semiautomatic, sir.	15:02:41

1	Q. Did you give chase of Mr. Lockett?	15:02:43
2	A. I followed on foot, yes.	15:02:48
3	Q. Were you running?	15:02:53
4	A. I was jogging in order to keep a	15:02:56
5	containment.	15:02:58
6	Q. You were jogging by yourself. Correct?	15:02:59
7	A. Deputy Aldama, I believe, was paralleling	15:03:04
8	me in the vehicle.	15:03:05
9	Q. He eventually caught up with you. But	15:03:11
10	when you took off running after Mr. Lockett, he	15:03:14
11	wasn't paralleling you, was he?	15:03:17
12	A. He was still -- he was near the area, sir.	15:03:19
13	Very close.	15:03:22
14	Q. Isn't that a violation of sheriff pursuit	15:03:23
15	policy for you to take off before your partner?	15:03:26
16	A. No, sir.	15:03:31
17	Q. Can -- no?	15:03:32
18	MR. ALTURA: This is Jack Altura.	15:03:37
19	I'll object that that calls for expert	15:03:38
20	opinion.	15:03:40
21	MR. SWEENEY: Well, Mr. Orrego is an	15:03:48
22	expert in this area.	15:03:50
23	Q. As a matter of fact, you were disciplined	15:03:53
24	for violating the Sheriff's foot-pursuit policy	15:03:55
25	just six months later when you shot and killed	15:03:58

1	on Rosecrans and Nestor?	15:51:05
2	A. Correct, sir.	15:51:07
3	Q. And he proceeded to -- southbound to	15:51:09
4	Spruce?	15:51:12
5	A. I -- I don't remember how he got to	15:51:14
6	Spruce, and I don't know where the vehicle was,	15:51:18
7	where our patrol vehicle was, but it was in the	15:51:21
8	area between Rosecrans and Spruce on Nestor Street.	15:51:24
9	And that's approximately maybe, I will say,	15:51:29
10	20 yards from street to street.	15:51:30
11	So he was somewhere, keeping a containment	15:51:33
12	spot in those two corners.	15:51:35
13	Q. Okay. And at some point, other deputies	15:51:37
14	arrived. Is that correct?	15:51:47
15	A. That's correct, sir.	15:51:48
16	Q. How long after you two set up your	15:51:49
17	containment did the first set of deputies arrive?	15:51:51
18	A. I don't recall the time, sir.	15:51:59
19	Q. One minute, two minutes, three minutes?	15:52:01
20	A. Less than five minutes, I'll say.	15:52:05
21	Q. Okay. Because you had put your 417 on	15:52:08
22	the -- you had requested the patch. Correct?	15:52:11
23	A. Correct, sir.	15:52:14
24	Q. And that means that all deputies in	15:52:15
25	Compton can hear your call for help. Correct?	15:52:19

1 A. Yes. Yes, sir. 15:52:22

2 Q. Okay. So who was it who found where 15:52:23

3 Lockett was located? 15:52:29

4 A. While holding our containment spots, 15:52:33

5 Deputy Aldama and I heard a metal screen door being 15:52:36

6 attempted to be opened, like forcefully be pulled 15:52:40

7 open. 15:52:45

8 At this time, you know, we -- it sounded 15:52:46

9 like somebody was trying to break into a home. 15:52:49

10 And at this time, Deputy Aldama and I, we 15:52:52

11 kind of looked over the fence that was there, and 15:52:55

12 we saw suspect Lockett violently pulling on this 15:52:58

13 door and trying to get in the house. 15:53:06

14 Q. You looked over the wall. Can you -- 15:53:08

15 MR. SWEENEY: Mr. Glickman, can you please 15:53:11

16 pull up the exhibit showing the patio? 15:53:12

17 Q. Now, while he's pulling that up, can you 15:53:40

18 actually look over the courtyard and see him 15:53:43

19 pulling on the door? 15:53:46

20 A. Yes, sir, I believe so. 15:53:49

21 MR. GLICKMAN: For the record, I have 15:53:54

22 what's Bates-stamped 173, and so we'll mark that 15:53:54

23 now as Exhibit 69. 15:53:57

24 (Deposition Exhibit 69 was marked for 15:54:00

25 identification.) 15:54:01

1 MR. SWEENEY: One second. 15:54:03

2 Q. Did you put in your police report that you 15:54:04

3 saw Mr. Lockett pulling on the screen door? 15:54:07

4 A. I don't recall -- I don't recall me doing 15:54:18

5 that, writing that. I don't recall, sir. 15:54:20

6 Q. Okay. But you saw it? 15:54:21

7 A. I heard it. That's -- definitely, I heard 15:54:23

8 it, and -- yes, sir -- 15:54:25

9 Q. You said you saw him. 15:54:27

10 A. Well, based on the radio traffic that was 15:54:29

11 taken at the time of, yes, I said, "We're holding 15:54:33

12 the suspect at gunpoint," and I explained where it 15:54:37

13 was. 15:54:40

14 So for that reason, it leads me to believe 15:54:41

15 that at some point during us listening or hearing 15:54:44

16 the noises to the point that we had a visual on 15:54:47

17 him, I had to have seen him through the fence. 15:54:51

18 Q. Okay. One second. 15:54:54

19 How tall are you? 15:55:00

20 A. Five-eight, sir. 15:55:02

21 Q. How tall is Samuel Aldama? 15:55:04

22 A. I believe about -- approximately -- I'm 15:55:08

23 not sure, sir, but if I had to guess, I'll say 15:55:10

24 five-nine. 15:55:13

25 Q. About your height. Correct? 15:55:15

1	MR. ALTURA: I'll just object -- this is	16:11:04
2	Jack Altura -- that that misstates prior testimony	16:11:05
3	that Mr. Aldama, Deputy Aldama, admitted to	16:11:07
4	slugging Mr. Lockett.	16:11:11
5	I have not been aware of any such	16:11:12
6	testimony on the part of Mr. -- or Deputy Aldama.	16:11:14
7	MR. SWEENEY: Okay.	16:11:17
8	Q. What did Deputy Feria do?	16:11:19
9	What did you see him do?	16:11:21
10	A. Feria, I believe I instructed him to use	16:11:25
11	his OC spray, sir.	16:11:27
12	Q. You instructed him?	16:11:30
13	A. Well, I instructed -- when I made the	16:11:31
14	arrest team, I told him, "Hey, Aldama is going to	16:11:33
15	place handcuffs." Anything happens, because it was	16:11:37
16	a close quarter, I told Deputy Feria to -- he was	16:11:41
17	going to use OC spray if necessary.	16:11:45
18	And the Taser, I instructed Deputy	16:11:48
19	Embleton, because he had a Taser, if necessary.	16:11:50
20	It's not "We're going to jump, and this is	16:11:54
21	what we're going to do." The suspect actions	16:11:57
22	dictate what we do, sir.	16:11:59
23	Q. But it was you who was the officer who was	16:12:01
24	giving the instructions to the other officers.	16:12:05
25	Correct?	16:12:07

1	MR. HURRELL: You misspoke, John.	16:55:13
2	THE WITNESS: You said "throughout the	16:55:15
3	arrest."	16:55:16
4	BY MR. SWEENEY:	16:55:17
5	Q. I'm sorry. Throughout the investigation.	16:55:18
6	A. I believe that that's a question that you	16:55:20
7	need to ask Aldama because I'm not sure -- to me,	16:55:21
8	"throughout the investigation" can be from point --	16:55:24
9	from the time the suspect gets -- you know, you	16:55:27
10	have contact with the suspect to the time that the	16:55:31
11	detective -- you know, the case gets turned over to	16:55:35
12	detectives, you know.	16:55:38
13	So I -- it could be anywhere from five	16:55:40
14	minutes to a full month of --	16:55:42
15	Q. Okay. So at the time -- you said the	16:55:44
16	starting point theoretically he could be talking	16:55:47
17	about is from the time of the contact.	16:55:51
18	At the time of the contact, did you feel	16:55:54
19	that he fit the suspect of the shooting's	16:55:58
20	description?	16:56:01
21	A. Yes, sir.	16:56:03
22	Q. Thank you. All right.	16:56:05
23	You had limited information that we just	16:56:14
24	heard an hour or so ago that was broadcast over the	16:56:17
25	dispatch; that is, black, male, blue beanie, silver	16:56:21

1 Pontiac. 16:56:33

2 What in those -- in that description fit 16:56:38

3 the suspect, or fit Mr. Lockett? 16:56:43

4 A. Well, sir, I think that you're forgetting 16:56:49

5 our initial contact was not over anything related 16:56:53

6 to the 245, you know, other than that's the reason 16:56:56

7 why we were in that area, you know. 16:57:01

8 And "throughout the investigation," 16:57:07

9 meaning okay, now we arrested the guy that we saw 16:57:08

10 holding a gun, we have him detained, and then 16:57:12

11 the -- the victim gets brought, and then she 16:57:18

12 positively identifies Mr. Lockett as the suspect of 16:57:21

13 the shooting, that's -- you know, that's the 16:57:26

14 totality of that, of his arrest. That is the 16:57:30

15 reason why we arrested him. 16:57:34

16 Q. Thank you. 16:57:37

17 MR. SWEENEY: If we go on to your actual 16:57:40

18 report -- can we go to page 1 of 2 of Mr. Orrego's 16:57:43

19 report; put it up there? 16:57:48

20 MR. GLICKMAN: I'm looking at it, but you 16:58:00

21 guys don't see it. 16:58:01

22 MR. SWEENEY: What's that? 16:58:03

23 MR. GLICKMAN: I was looking at it, but I 16:58:05

24 didn't have it on screen share. 16:58:07

25 //

--○○○--

I declare under penalty of perjury that the foregoing is true and correct. Subscribed at \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

MIZRAIN ORREGO

1 CERTIFICATE OF REPORTER

2 I, HOLLY THUMAN, a Certified Shorthand Reporter,  
3 hereby certify that the witness in the foregoing  
4 deposition was by me duly sworn to tell the truth, the  
5 whole truth, and nothing but the truth in the  
6 within-entitled cause; that said deposition was taken  
7 down in shorthand by me, a disinterested person, at the  
8 time and place therein stated; and that the testimony  
9 of said witness was thereafter reduced to typewriting,  
10 by computer, under my direction and supervision;

11 That before completion of the deposition review of  
12 the transcript [] was [X] was not requested/offered.  
13 If requested, any changes made by the deponent (and  
14 provided to the reporter) during the period allowed are  
15 appended hereto.

16 I further certify that I am not of counsel or  
17 attorney for either or any of the parties to the said  
18 deposition, nor in any way interested in the event of  
19 this cause, and that I am not related to any of the  
20 parties thereto.

21  
22 DATED: May 13, 2020

23   
24

25 HOLLY THUMAN, CSR